

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NICHOLAS SHAFFER,

Petitioner,

v.

JEFFREY A. UTTECHT,

Respondent.

CASE NO. C19-5981-BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 7. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Petitioner’s petition for habeas corpus, Dkt. 3, is **DISMISSED** without prejudice for failure to respond to a Court order and as unexhausted;
- (3) A certificate of appealability is **DENIED**; and
- (4) This case is closed.

Dated this 19th day of June, 2020.



BENJAMIN H. SETTLE
United States District Judge